REMARKS

Claims 1-11 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-2, 6-8, and 11, drawn to a monoclonal antibody, a hybridoma cell, and assay using said monoclonal body, wherein the hybridoma is produced by a nucleoprotein;

Group II, claims 3-4, drawn to a monoclonal antibody produced by SEQ ID NO: 1;

Group III, claim 5, drawn to a monoclonal antibody produced by SEQ ID NO: 3; and

Group IV, claims 9-10, drawn to an immunoassay device.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1-2, 6-8, and 11.

In addition, should the Examiner require a species for the purpose of initiating a search, Applicants elect the monoclonal antibody produced by the hybridoma rSN-122 (FERM BP-10144). Claims 1-4 and 6-11 encompass this species.

Applicants respectfully traverse the requirement for the following reasons. The Examiner asserts that Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1, *see* Office Action, page 2, item 2. Applicants submit, however, that the Examiner has not properly construed or applied the unity of invention standards applicable under PCT Rule 13.2.

Under PCT Rule 13.2, the application fulfills the unity of invention requirement when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" refers to those technical features that define a contribution, which each of the claimed inventions, considered as a whole, makes over the prior art. In the present application, the "technical

relationship" or "special technical feature" described in Groups I-IV is a monoclonal antibody against the nucleoprotein of a corona virus.

The Examiner alleges that anti-nucleoprotein monoclonal antibodies were known in the art, *see* Office Action, page 2, item 2. In support of this allegation, the Examiner cites Chen *et al.*, *J. Virol.* June, 2004, 42: 2629-2635, ("Chen *et al.*"). Applicants note, however, that Chen *et al.* was published after the priority date of the instant invention. The present application is the national stage application of PCT International Application No. PCT/JP2004/016099, which was filed on October 29, 2004. The International Application claims the benefit of priority of Japanese Application No. 2004-034268, filed on February 10, 2004 and Japanese Application No. 2004-034268 filed on October 31, 2003, (*see, e.g.*, Declaration submitted in the instant application on February 22, 2007). Based upon the foregoing, Chen *et al.* does not break the unity of invention and the Examiner has failed to provide any evidence that would indicate that the anti-nucleoprotein monoclonal antibody described in the instant claims is not a special technical feature. As such, Applicants submit that the Examiner has not explained a proper basis for objecting to unity of invention. Accordingly, Applicants respectfully request the objection be withdrawn.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Linda T. Parker, Registration No 46,046, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By #32,121
Gerald M. Murphy, Jr.
Registration No.: 28,977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant